Charles H. Chevalier

GIBBONS P.C.

One Gateway Center Newark, New Jersey 07102-5310

(973) 596-4611

cchevalier@gibbonslaw.com

Christine A. Gaddis GIBBONS P.C.

141 West Front Street, Suite 240 Red Bank, New Jersey 07701

(732) 704-5801

cgaddis@gibbonslaw.com

Attorneys for Plaintiff American Regent, Inc.

OF COUNSEL:

Dennies Varughese, Pharm.D.

Uma Everett Adam LaRock Christina Dashe Alex Alfano

Ryan Conkin

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

1101 K Street NW, 10th Floor Washington, D.C. 20005

(202) 371-2600

dvarughese@sternekessler.com ueverett@sternekessler.com alarock@sternekessler.com

cdashe@sternekessler.com aalfano@sternekessler.com rconkin@sternekessler.com

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

In re Selenious	Acid	Litigation
-----------------	------	------------

No. 2:24-cv-07791-BRM-CLW (Consolidated)

JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT

Pursuant to Local Patent Rule 4.3 of the United States District Court for the District of New Jersey and the Stipulation and Amended Scheduling Order (ECF No. 124), Plaintiff American Regent, Inc. ("ARI") and Defendants Aspiro Pharma Ltd. ("Aspiro"), Cipla USA, Inc. and Cipla Limited ("Cipla"), Hikma Pharmaceuticals USA Inc. ("Hikma"), RK Pharma, Inc. ("RK Pharma"), Sun Pharmaceutical Industries Limited and Sun Pharmaceutical Industries Inc. ("Sun"), and Zydus Pharmaceuticals (USA), Inc. ("Zydus") (collectively, "Defendants"), hereby

submit their Joint Claim Construction and Prehearing Statement for U.S. Patent Nos. 11,998,565 (the "565 patent") and 12,150,957 ("the '957 Patent") (collectively, the "Asserted Patents").

I. **BACKGROUND**

Pursuant to L. Pat. R. 4.1(a), on March 20, 2025, the parties exchanged proposed claim terms for construction. ARI proposed that no terms required construction, whereas Defendants proposed three terms for construction. Pursuant to L. Pat. R. 4.2(a)–(b), on March 24, 2025, ARI exchanged preliminary claim constructions for all the terms identified in Defendants' March 20, 2025 disclosure and identified intrinsic as well as extrinsic evidence in support of ARI's proposed preliminary constructions. Defendants proposed that all the identified terms are indefinite under 35 U.S.C. § 112. Pursuant to L. Pat. R. 4.2(b) on March 24, 2025, ARI identified intrinsic as well as extrinsic evidence to support its proposed preliminary constructions. Pursuant to L. Pat. R. 4.2(c), on March 31, 2025, the parties exchanged intrinsic and extrinsic evidence opposing the other side's positions concerning the identified claim terms from the Asserted Patents.

The parties have agreed that any issues of indefiniteness should be addressed by the Court after the parties have completed fact and expert discovery. Because the only issue with terms relates to Defendants' position of indefiniteness, the parties agree that there is no need for a claim construction hearing.

II. CONSTRUCTION OF PATENT TERMS

A. **Agreed Upon Claim Constructions**

Pursuant to L. Pat. R. 4.3(a), the parties have not agreed to the construction of the three claim terms proposed by Defendants as needing construction.

В. **Disputed Claim Terms**

Pursuant to L. Pat. R. 4.3(b), attached hereto as Exhibit A is a chart identifying the claim

terms and phrases from the Asserted Patents in dispute and the parties' proposed constructions, as well as intrinsic and extrinsic evidence that each party intends to rely upon either to support its proposed constructions or to oppose the other party's proposed constructions. As a result of the parties' agreement to delay resolution of indefiniteness issues, there are currently three claim terms at issue. Regardless, the parties provide their identified intrinsic and extrinsic evidence regarding all three terms out of an abundance of caution.

C. Claim Terms Whose Construction Will Be Most Significant

Pursuant to L. Pat. R. 4.3(c), the parties believe that construction of the terms listed in Exhibit A are equally significant to the resolution of the case. The parties do not believe that construction of any of the terms listed in Exhibit A will be dispositive or substantially conducive to promoting settlement.

D. Anticipated Length of Time Necessary for the Claim Construction Hearing

Pursuant to L. Pat. R. 4.3(d), to conserve the resources of the parties and the Court, the parties do not anticipate that a hearing is needed because the only issue is indefiniteness, which the parties agreed should be addressed by the Court after the parties have completed fact and expert discovery.

E. Identification of Witnesses for the Claim Construction Hearing

1. ARI's Witnesses

None.

2. Defendants' Witnesses

None.

Dated: April 4, 2025

/s/ Charles H. Chevalier

Charles H. Chevalier GIBBONS P.C. One Gateway Center Newark, New Jersey 07102-5310 (973) 596-4611 cchevalier@gibbonslaw.com

Christine A. Gaddis GIBBONS P.C.

141 West Front Street, Suite 240 Red Bank, New Jersey 07701 (732) 704-5801 cgaddis@gibbonslaw.com

OF COUNSEL:

Dennies Varughese, Pharm.D.

Uma Everett Adam LaRock Christina Dashe Alex Alfano Ryan Conkin

STERNE, KESSLER, GOLDSTEIN &

FOX P.L.L.C.

1101 K Street NW, 10th Floor Washington, D.C. 20005 (202) 371-2600 dvarughese@sternekessler.com

dvarughese@sternekessler.com ueverett@sternekessler.com alarock@sternekessler.com cdashe@sternekessler.com aalfano@sternekessler.com rconkin@sternekessler.com

Attorneys for Plaintiff American Regent, Inc.

/s/ Kaan Ekiner

Kaan Ekiner

COZEN O'CONNOR

1201 N. Market Street, Suite 1001

Wilmington, DE 19801 kekiner@cozen.com

W. Blake Coblentz Aaron S. Lukas

COZEN O'CONNOR

2001 M Street, NW, Suite 500 Washington, DC 20036 wcoblentz@cozen.com

alukas@cozen.com

David B. Sunshine Keri L. Schaubert COZEN O'CONNOR

3WTC, 175 Greenwich St., 55th Fl.

New York, NY 10007 dsunshine@cozen.com kschaubert@cozen.com

Attorneys for Aspiro Pharma Ltd.

/s/ Rebekah Conroy

Rebekah Conroy STONE CONROY LLC 25 A Hanover Road, Suite 301 Florham Park, NJ 07932 rconroy@stoneconroy.com

Steven M. Coyle Nicholas A. Geiger CANTOR COLBURN LLP 20 Church Street, 22nd Floor Hartford, CT 06103 scoyle@cantorcolburn.com ngeiger@cantorcolburn.com

Attorneys for Defendants Cipla Limited and Cipla USA, Inc.

/s/ James Richter
James Richter

MIDLIGE RICHTER, LLC 645 Martinsville Road Basking Ridge, New Jersey 07920 jrichter@midlige-richter.com

C. Kyle Musgrove
Cindy Chang
GEMINI LAW LLP
40 W 24th Street, Suite 6N
New York, New York 10010
kmusgrove@geminilaw.com
cchang@geminilaw.com

Attorneys for Defendant Hikma Pharmaceuticals USA, Inc.

/s/ William P. Murtha

Eric I. Abraham
William P. Murtha
Kristine L. Butler
HILL WALLACK, LLP
21 Roszel Road
Princeton, New Jersey 08540
eabraham@hillwallack.com
wmurtha@hillwallack.com
kbutler@hillwallack.com

Neal Seth Corey Weinstein WILEY REIN LLP 2050 M St. NW Washington, DC 20036 nseth@wiley.law cweinstein@wiley.law

Attorneys for Defendant RK Pharma, Inc.

/s/ Gregory D. Miller

Gregory D. Miller
Gene Y. Kang
Timothy P. Gonzalez
RIVKIN RADLER LLP
25 Main Street
Court Plaza North, Suite 501
Hackensack, New Jersey 07601
Gregory.miller@rivkin.com

Timothy.gonzalez@rivkin.com Marcus.tubin@rivkin.com

Samual T. Lockner
Jennell C. Bilek
Seung Sub Kim
CARLSON, CASPERS, VANDENBURGH &
LINDQUIST, PA
Capalla Tower, Suite 4200
225 South Sixth Street
Minneapolis, Minnesota 55402
slockner@carlsoncaspers.com
jbilek@carlsoncaspers.com
ekim@carlsoncaspers.com

Attorneys for Defendants Sun Pharmaceutical Industries Limited and Sun Pharmaceutical Industries, Inc.

/s/ William P. Murtha

Eric I. Abraham
William P. Murtha
Kristine L. Butler
HILL WALLACK, LLP
21 Roszel Road
Princeton, New Jersey 08540
eabraham@hillwallack.com
wmurtha@hillwallack.com
kbutler@hillwallack.com

Michael J. Gaertner
David B. Abramowitz
Leah M. Brackensick
Hannah J. Thomas
BUCHANAN INGERSOLL & ROONEY PC
125 South Wacker Drive
Chicago, Illinois 60606
michael.gaertner@bipc.com
david.abramowitz@bipc.com
leah.brackensick@bipc.com
hannah.thomas@bipc.com

Attorneys for Defendant Zydus Pharmaceuticals (USA) Inc.

Term	ARI's Proposed	ARI's Exemplary	Defendants' Proposed	Defendants
(Patent, Claim)	Construction	Evidence	Construction	Exemplary Evidence
fluoride in an amount of 0.0001 µg to 2.7 µg / 0.0001 µg to 2.7 µg of fluoride / fluoride in an amount of 0.0001 µg to 2.7 µg per 1 mL of the injectable composition ('565 patent, Claims 1–14, 16, 18, 22–29) ('957 patent, Claims 1, 3, 4, 6–12, 14–18, 26, 27, 29, 30)	Plain and ordinary meaning: an amount of fluoride from 0.0001 µg to 2.7 µg, inclusive / an amount of fluoride from 0.0001 µg to 2.7 µg, inclusive / a concentration of fluoride in the injectable composition from 0.0001 µg/mL to 2.7 µg/mL, inclusive	ARI reserves the right to rely on any evidence cited by Defendants in support of their proposed construction of this term, or cited by Defendants in opposition to ARI's proposed construction of this term. Pursuant to L. Pat. R. 4.3(e), and subject to the Court's preferences regarding live witness testimony, ARI intends to offer expert testimony from Dr. George Phillip Ayers, Pharm.D. through declaration and/or deposition. Dr. Ayers will provide testimony and evidence (1) regarding the state of the art and ARI's inventions; (2) in support of ARI's claim construction positions, including the intrinsic	Indefinite.	'565 patent, including, but not limited to: • 17:3-20 • 66:34 – 67:22 • Tables 2, 3, and 4 • Example 9 • Claims 1-14, 16, 18, 22-29 Prosecution file history of the '565 patent '957 patent, including, but not limited to: • 17:8-25 • Tables 2, 3, and 4 • Example 9 • Claims 1-18, 26, 27, 29, 30 Prosecution file history of the '957 patent Defendants may also rely on the references cited in the patents-in- suit, as well as prior art

and extrinsic evidence	discussed during
cited in the chart above;	prosecution of the
(3) in rebuttal to	patents-in-suit.
Defendants' claim	
construction positions;	Defendants may also
and/or (4) regarding the	rely on any evidence
meaning of the terms	identified by Plaintiff.
identified above to a	_
person of ordinary skill	Contentions:
in the art. ARI reserves	Defendants' Invalidity
the right to rely on any	Contentions, dated
witness at trial that may	February 18, 2025,
be disclosed hereafter	including any
pursuant to the Court's	references cited
Amended Scheduling	therein.
Order (ECF No. 124).	
ARI further reserves the	Defendants' Non-
right to rely on any	Infringement
expert opinions or	Contentions, dated
declarations provided in	February 18, 2025,
expert discovery. ARI	including any
objects to the	references cited
Defendants' relying on	therein.
expert testimony or	
declarations to the	Plaintiffs' Disclosure
extent Defendants fail	of Infringement
to adequately disclose	Contentions to each
the identity of expert	Defendant, dated
witnesses.	March 18, 2025,
	including any
Intrinsic Evidence:	references cited
'565 Patent at 17:3-10,	therein.
Table 35 at 67:1-22,	

<u></u>		
	Claims 1, 23 26, 27;	Plaintiff's Response to
	'565 Patent Prosecution	Defendants' Invalidity
	History, Original	Contentions, dated
	Claims (03/21/2023) at	March 18, 2025,
	82-91, Response to	including any
	Office Action	references cited
	(12/13/2023) at 7-24,	therein.
	Response to Office	
	Action (03/01/2024) at	Extrinsic Evidence:
	7-11, Notice of	Defendants may
	Allowance	introduce testimony
	(03/22/2024) at 1-10,	from one or more
	Notice of Allowance	experts supporting the
	(04/24/2024) at 1-6;	meaning of this claim
	'957 Patent at 17:8-15,	term.
	Table 35 at 68:17-62,	Pursuant to L. Pat. R.
	Claims 1, 26, 27, 29,	4.5, Defendants may
	30; '957 Patent	provide any expert
	Prosecution History,	certifications and/or
	Original Claims	declarations with its
	(05/23/24) at 1-9,	opening and/or
	Preliminary	responding Markman
	Amendment (05/23/24)	briefs. The expert(s)
	at 7-10, Notice of	may offer opinions as
	Allowance (09/05/24)	to the technology, state
	at 1-8, Notice of	of the art, and the
	Allowance (10/09/24)	meaning of this claim
	at 1-5.	term as it would have
		been understood by a
	Rebuttal evidence to be	person of ordinary skill
	identified pursuant to	in the art at the time the
	L.Pat. R. 4.2(c).	asserted patents were
		filed, consistent with

				Defendants' proposal, the intrinsic record, and other extrinsic evidence known to the expert and other experts in the relevant field such as scientific publications, treatises, and/or dictionaries. The expert(s) may also provide opinions to rebut the opinions of Plaintiff's expert(s).
0.0001 μg to 0.2 μg of iodine / iodine in an amount of 0.0001 μg to 0.2 μg per 1 mL of the injectable composition ('565 patent, Claims 15–17, 19–21, 23, 29) ('957 patent, Claims 17, 19, 21–30)	Plain and ordinary meaning: an amount of iodine from 0.0001 µg to 0.2 µg, inclusive / a concentration of iodine in the injectable composition from 0.0001 µg/mL to 0.2 µg/mL, inclusive	ARI reserves the right to rely on any evidence cited by Defendants in support of their proposed construction of this term, or cited by Defendants in opposition to ARI's proposed construction of this term. Pursuant to L. Pat. R. 4.3(e), and subject to the Court's preferences regarding live witness testimony, ARI intends to offer expert testimony from Dr. George Phillip Ayers,	Indefinite.	'565 patent, including, but not limited to: • 1:28-32 • 17:3-20 • Tables 2, 3, and 4 • Claims 15-17, 19-21, 23, 29 Prosecution file history of the '565 patent '957 patent, including, but not limited to: • 1:25-34 • 17:8-25 • Tables 2, 3, and 4

	,	
	Pharm.D. through	 Claims 17, 19-
	declaration and/or	30
	deposition. Dr. Ayers	
	will provide testimony	Prosecution file history
	and evidence (1)	of the '957 patent
	regarding the state of	-
	the art and ARI's	Defendants may also
	inventions; (2) in	rely on the references
	support of ARI's claim	cited in the patents-in-
	construction positions,	suit, as well as prior art
	including the intrinsic	discussed during
	and extrinsic evidence	prosecution of the
	cited in the chart above;	patents-in-suit.
	(3) in rebuttal to	1
	Defendants' claim	Defendants may also
	construction positions;	rely on any evidence
	and/or (4) regarding the	identified by Plaintiff.
	meaning of the terms	,
	identified above to a	Contentions:
	person of ordinary skill	Defendants' Invalidity
	in the art. ARI reserves	Contentions, dated
	the right to rely on any	February 18, 2025,
	witness at trial that may	including any
	be disclosed hereafter	references cited
	pursuant to the Court's	therein.
	Amended Scheduling	
	Order (ECF No. 124).	Defendants' Non-
	ARI further reserves the	Infringement
	right to rely on any	Contentions, dated
	expert opinions or	February 18, 2025,
	declarations provided in	including any
	expert discovery. ARI	references cited
	objects to the	therein.
1		

Defendants' relying on expert testimony or declarations to the extent Defendants fail to adequately disclose the identity of expert witnesses Defendants' relying on Plaintiffs' Disclosure of Infringement Contentions to each Defendant, dated March 18, 2025, including any		
declarations to the extent Defendants fail to adequately disclose the identity of expert Of Infringement Contentions to each Defendant, dated March 18, 2025,	• •	
extent Defendants fail to adequately disclose the identity of expert Contentions to each Defendant, dated March 18, 2025,		Plaintiffs' Disclosure
to adequately disclose the identity of expert Defendant, dated March 18, 2025,	declarations to the	
the identity of expert March 18, 2025,	extent Defendants fail	Contentions to each
	to adequately disclose	Defendant, dated
witnesses including any	the identity of expert	March 18, 2025,
with coco.	witnesses.	including any
references cited		references cited
Intrinsic Evidence: therein.	Intrinsic Evidence:	therein.
'565 Patent at 17:3-10,	'565 Patent at 17:3-10,	
Table 35 at 67:1-22, Plaintiff's Response to	Table 35 at 67:1-22,	Plaintiff's Response to
Claims 7, 15, 16, 26, Defendants' Invalidity	Claims 7, 15, 16, 26,	Defendants' Invalidity
27, '565 Patent Contentions, dated	27, '565 Patent	Contentions, dated
Prosecution History, March 18, 2025,	Prosecution History,	March 18, 2025,
Original Claims including any	Original Claims	including any
(03/21/2023) at 82-91, references cited	(03/21/2023) at 82-91,	references cited
Response to Office therein.	Response to Office	therein.
Action (12/13/2023) at	Action (12/13/2023) at	
7-24, Response to <u>Extrinsic Evidence</u> :	7-24, Response to	Extrinsic Evidence:
Office Action Defendants may	Office Action	Defendants may
(03/01/2024) at 7-11; introduce testimony	(03/01/2024) at 7-11;	introduce testimony
'957 Patent at 17:8-15, from one or more	'957 Patent at 17:8-15,	from one or more
Table 35 at 68:17-62, experts supporting the	Table 35 at 68:17-62,	experts supporting the
Claims 16, 17, 19, 20, meaning of this claim	Claims 16, 17, 19, 20,	meaning of this claim
29; '957 Patent term.	29; '957 Patent	term.
Prosecution History, Pursuant to L. Pat. R.	Prosecution History,	Pursuant to L. Pat. R.
Original Claims 4.5, Defendants may	Original Claims	4.5, Defendants may
(05/23/24) at 1-9, provide any expert	(05/23/24) at 1-9,	provide any expert
Preliminary certifications and/or	Preliminary	certifications and/or
Amendment (05/23/24) declarations with its	Amendment (05/23/24)	declarations with its
at 7-10, Notice of opening and/or	at 7-10, Notice of	opening and/or
Allowance (09/05/24) responding Markman	Allowance (09/05/24)	
at 1-8, Notice of briefs. The expert(s)	at 1-8, Notice of	briefs. The expert(s)

		Allowance (10/09/24) at 1-5. Rebuttal evidence to be identified pursuant to L. Pat. R. 4.2(c).		may offer opinions as to the technology, state of the art, and the meaning of this claim term as it would have been understood by a person of ordinary skill in the art at the time the asserted patents were filed, consistent with Defendants' proposal, the intrinsic record, and other extrinsic evidence known to the expert and other experts in the relevant field such as scientific publications, treatises, and/or dictionaries. The
				expert(s) may also provide opinions to rebut the opinions of Plaintiff's expert(s).
Water ('565 patent, All Claims) ('957 patent, Claims 1, 3, 4, 6–12, 14–19, 21– 30)	Plain and ordinary meaning:	ARI reserves the right to rely on any evidence cited by Defendants in support of their proposed construction of this term, or cited by Defendants in opposition to ARI's proposed construction	Indefinite.	'565 patent, including, but not limited to: • 1:11-2:43 • 2:47-5:26 • 5:32-42:53 • Examples 1-12 • Claims 1-29

of this term.	<u>Prosecution file history</u>
	of the '565 patent
Pursuant to L. Pat. R.	
4.3(e), and subject to	'957 patent, including,
the Court's preferences	but not limited to:
regarding live witness	• 1:11-2:43
testimony, ARI intends	• 2:47-5:26
to offer expert	• 5:30-42:39
testimony from Dr.	• Examples 1-12
George Phillip Ayers,	• Claims 1, 3-4,
Pharm.D. through	6-10, 12, 14-19,
declaration and/or	21-30
deposition. Dr. Ayers	21-30
will provide testimony	Prosecution file history
and evidence (1)	of the '957 patent
regarding the state of	of the 757 patent
the art and ARI's	Defendants may also
inventions; (2) in	rely on the references
support of ARI's claim	cited in the patents-in-
construction positions,	suit, as well as prior art
including the intrinsic	discussed during
and extrinsic evidence	prosecution of the
cited in the chart above;	patents-in-suit.
(3) in rebuttal to	patents in suit.
Defendants' claim	Defendants may also
construction positions;	rely on any evidence
and/or (4) regarding the	identified by Plaintiff.
meaning of the terms	dentified by I familiff.
identified above to a	Contentions:
person of ordinary skill	Defendants' Invalidity
in the art. ARI reserves	Contentions, dated
the right to rely on any	February 18, 2025,
witness at trial that may	including any
<u> </u>	including any

be disclosed hereafter	references cited
pursuant to the Court's	therein.
Amended Scheduling	
Order (ECF No. 124).	Defendants' Non-
ARI further reserves the	Infringement
right to rely on any	Contentions, dated
expert opinions or	February 18, 2025,
declarations provided in	including any
expert discovery. ARI	references cited
objects to the	therein.
Defendants' relying on	
expert testimony or	Plaintiffs' Disclosure
declarations to the	of Infringement
extent Defendants fail	Contentions to each
to adequately disclose	Defendant, dated
the identity of expert	March 18, 2025,
witnesses.	including any
	references cited
Intrinsic Evidence:	therein.
'548 Patent at Abstract,	
1:23, 2:64, 3:2, 3:12,	Plaintiff's Response to
3:17, 3:23, 3:30, 3:39,	Defendants' Invalidity
3:44, 3:55, 3:61, 3:67,	Contentions, dated
4:13, 4:18, 4:57, 7:34,	March 18, 2025,
7:53, 9:33, 9:43, 9:63,	including any
10:2, 10:6, 10:12,	references cited
10:16, 10:30, 10:36,	therein.
18:11, 18:18, 21:38,	
21:59, 22:54, 22:65,	Extrinsic Evidence:
27:56, 28:25, 28:27,	
36:2, 36:6, 37:10,	The parties'
39:42, 40:27, 41:3,	Preliminary Injunction
41:8, 41:48, 42:12,	briefing, including but

	Claims 1, 15, 23, 24,	not limited to the
	26, 27, 29, 31, 34; '022	declarations and
	Patent at Abstract, 1:23,	exhibits thereto.
	2:64, 3:2, 3:12, 3:23,	Defendants may
	3:30, 3:39, 3:44, 3:55,	introduce testimony
	3:61, 3:67, 4:13, 4:18,	from one or more
	4:57, 7:36, 7:55, 9:36,	experts supporting the
	9:46, 9:66, 10:5, 10:9,	meaning of this claim
	10:15, 10:19, 10:33,	term.
	10:39, 10:46, 18:15,	Pursuant to L. Pat. R.
	18:22, 21:42, 28:6,	4.5, Defendants may
	28:8, 36:2, 36:6, 37:9,	provide any expert
	39:41, 40:26, 41:2,	certifications and/or
	41:7, 41:47, 42:11,	declarations with its
	Claims 1, 12, 18; '565	opening and/or
	Patent at Abstract, 1:23,	responding Markman
	2:64, 3:2, 3:12, 3:17,	briefs. The expert(s)
	3:23, 3:30, 3:39, 3:44,	may offer opinions as
	3:55, 3:61, 3:67, 4:13,	to the technology, state
	4:18, 4:56, 7:36, 7:55,	of the art, and the
	9:36, 9:46, 9:66, 10:33,	meaning of this claim
	10:39, 18:27, 18:34,	term as it would have
	21:54, 28:29, 28:31,	been understood by a
	36:8, 36:12, 37:15,	person of ordinary skill
	39:49, 40:34, 41:10,	in the art at the time the
	41:15, 41:55, 42:20,	asserted patents were
	58:37, 59:17, 71:36,	filed, consistent with
	72:9, 72:62, 73:2,	Defendants' proposal,
	Claims 1, 15, 26, 27;	the intrinsic record, and
	'956 Patent at Abstract,	other extrinsic evidence
	1:23, 2:64, 3:2, 3:12,	known to the expert
	3:17, 3:23, 3:30, 3:39,	and other experts in the
	3:44, 3:55, 3:61, 3:67,	relevant field such as
<u> </u>	· · · · · · · · · · · · · · · · · · ·	•

4:12, 4:18, 4:57, 7:36,	scientific publications,
7:55, 9:36, 9:46, 9:66,	treatises, and/or
10:5, 10:9, 10:14,	dictionaries. The
10:19, 10:33, 10:39,	expert(s) may also
18:29, 18:36, 22:6,	provide opinions to
28:54, 28:56, 36:50,	rebut the opinions of
36:54, 37:58, 40:23,	Plaintiff's expert(s).
41:8,41:51, 41:56,	
42:29, 42:60, Claims 1,	
3, 4, 12, 14, 15, 19, 20,	
21, 26, 27, 28; '957	
Patent at Abstract, 1:23,	
2:64, 3:2, 3:12, 3:17,	
3:23, 3:30, 4:12, 4:57,	
7:34, 7:53, 9:33, 9:43,	
9:63, 10:2, 10:6, 10:11,	
10:15, 10:30, 10:36,	
18:37, 18:44, 21:64,	
28:37, 28:39, 35:60,	
35:64, 37:1, 39:33,	
40:19, 40:63, 41:41,	
42:5, Claims 1, 19, 29,	
30.	
Extrinsic Evidence:	
ARI_SE_ACID-	
0009233-235.	
000,200 200.	
Rebuttal evidence to be	
identified pursuant to	
L.Pat. R. 4.2(c).	